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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,923	08/07/2001	Richard D. Martin	401-13U1	9008
570 7590 10/08/2009 PANITCH SCHWARZE BELISARIO & NADEL LLP ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200 PHILADELPHIA, PA 19103				
EXAMINER SIDDIQI, MOHAMMAD A				
ART UNIT 2454		PAPER NUMBER		
NOTIFICATION DATE 10/08/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptomail@panitchlaw.com

Office Action Summary

Application No.

09/923,923

Applicant(s)

MARTIN ET AL.

Examiner

MOHAMMAD A. SIDDIQI

Art Unit

2454

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 13-27 are presented for examination.

Claim Rejections - 35 USC § 101

2. Claim 17 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The term "tangible media" found in claim 17 broadest reasonable interpretation could include a signal in transmission, which is non-statutory. The examiner suggests that applicant amend the claim to read "a non-transitory computer storage media" and amend the specification accordingly. This will eliminate the 101 issue and not be considered new matter.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Truong et al (US 6,151,609) (Hereinafter Truong) in view of Shrader et al. (US 6,151,599) (Hereinafter Shrader).

5. As per claim 13, Truong teaches a method of constructing a web page that allows for receipt of digital assets, the method comprising:

(b) inserting script (col 2, lines 17-31) associated with at least one digital asset that is desired to be part of a fully rendered web page (col 2, lines 17-31) into the web page, the inserted script including code to request the content of the digital asset (server file, col 10, lines 5-14) from a remote site when the code is executed by a browser (col 8, lines 3-16), the code including: (i) a uniform resource identifier (URI) (col 7, lines 20-33) of a web page for use by the remote site in authenticating whether the URL is authorized to receive the content of the digital asset (col 8, lines 3-16), and (ii) a unique identifier of the selected content of the digital asset (col 7, lines 20-33; col 8, lines 3-16). Truong specifically does not disclose (a) electronically constructing a web page from source code. However, it is commonly known in the art, the web browser are capable of interpreting embedded scripts in the html pages. Shrader discloses (a) electronically constructing a web page from source code [javascript] ("JavaScript reloading in an HTML frame. The source code for the test page follows in Listing 1:", elements of Fig 4, col 3, lines 5-52); web page into the web page ("JavaScript reloading in an HTML frame. The source code for the test page follows in Listing 1:", elements of Fig 4, col 3, lines 5-52). It would have been obvious to one of ordinary skill in the art at the

time of the invention was made to combine the teachings Truong and Shrader. The motivation would have been providing system for developing and testing of distributed computing environment security (Shrader: col 2, lines 51-53).

6. As per claim 14, the claim is rejected for the same reasons as claim 13, above. In addition, Truong discloses the scripting language is JavaScript (col 9, line 19).

7. As per claim 15, the claim is rejected for the same reasons as claim 13, above. In addition, Truong discloses the content is an executable file (server file, col 10, lines 5-14).

8. As per claim 16, the claim is rejected for the same reasons as claim 13, above. In addition, Shrader discloses the script includes a subscriber identifier and a content identifier (elements of Fig 4, col 3, lines 5-52), which together, create the unique identifier of the selected content (elements of Fig 4, col 3, lines 5-52).

9. Claims 17 and 21 do not teach or define any new limitations above claim 13 and therefore are rejected for similar reasons.

10. Claims 18 and 22 do not teach or define any new limitations above claim 12 and therefore are rejected for similar reasons.

11. Claims 19 and 23 do not teach or define any new limitations above claim 15 and therefore are rejected for similar reasons.

12. Claims 20 and 24 do not teach or define any new limitations above claim 16 and therefore are rejected for similar reasons.

13. As per claims 25-27, Truong teaches wherein the script is a scripting language (col 9, line 19).

Response to Arguments

14. Applicant's arguments with respect to claims 13-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent 5,774,670

U.S. 2003/0135587

U.S. Patent 6,829,780 Teaches client-side scripting and retrieving URL

U.S. Patent 6,611,498 teaches client-side scripting.

- Client-Side Web Scripting with HaskellScript (Erik Meijer Daan Leijen and James Hook; January 01, 1998; Springer Berlin / Heidelberg): teaches Using client-side scripting it is possible to build interactive web pages that don't need round-trips to the server for every user-event. The web browser exposes itself to the script via an object model (DOM), which means that scripts can add and remove page content, or change the position and color of elements via their style attribute

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD A. SIDDIQI whose telephone number is (571)272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MS
/NATHAN FLYNN/
Supervisory Patent Examiner, Art Unit 2454